

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

**Case No. 13-CV-21186-Williams/Turnoff**

**The attached hand-written  
document  
has been scanned and is  
also available in the  
SUPPLEMENTAL  
PAPER FILE**

4/1/13

3)

Honorable Clerk of Court

Please send me the Case number  
to the attached FOIA Civil Action

Thank you very kindly

HARSH SHARMA MD  
2125 Raper Daisy Rd  
Orlando FL 32822

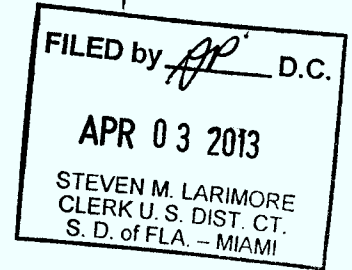
cat/div Freedom of Information  
Case # \_\_\_\_\_  
Judge \_\_\_\_\_ Mag \_\_\_\_\_  
Motn lfp \_\_\_\_\_ Fee pd \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_

(1)

4/1/13

U.S.D.C.

Southern District Miami, FL



plaintiff HARSH SHARMA MD

V

defendants EOAVSA  
Rm 7300, 600 EST NW  
Washington DC 20530-0001

Civil Action under FOIA  
5 USC 552 & 552(a)

Relief Requested

1. Copy of Notice, OTSC & Hearing for Jurisdiction under the US Constitution.
2. Copy of evidence used to convert or apply Jurisdiction over private Sovereign Florida Citizen.

Prayer to the Honorable Court.

Dated: 4/1/2013

United States District Court

Dr. Harsh Sharma MD, MBBS et al  
 Plaintiffs  
 vs  
 defendants

Case # \_\_\_\_\_

Demand Jury Trial

EO AVSA

Plaintiffs Original Civil Action Complaint

Dear Honorable,

Comes now Plaintiffs Dr. Harsh Sharma M.D., M.B., B.S. et al pro-se and unassisted by Counsel, in proper form & in forma pauperis and files this Original Civil Action Complaint against the defendants who Knowingly, Intentionally, Willfully, Discriminatorily, Maliciously & with Deliberate Indifference violated US Federal Laws, US Constitution, State Laws, Congress mandate, Statutes, Rules, Regulations & Policies and the Plaintiffs Civil & Constitutional Rights under color of Law and such rights & laws were clearly established at the time defendants violated them. Defendants are being charged sued Collectively, Jointly & Separately in their Individual & Official Capacities. The United States has waived Immunity for Torts. The US has waived Sovereign Immunity for Official capacity for Declaratory & Injunctive relief. These defendants have NO qualified immunity in their individual capacity as they have Knowingly, Intentionally & Willfully violated clearly established US Federal Laws, US Constitution & State Laws. The defendants have Combined, Conspired & in Tacit agreement violated the Plaintiffs Constitutional and Civil rights under the 1, 2, 4, 5, 6, 8 & 14 Amendments. Defendants Maliciously & Vindictively Harmed, Injured & Damaged the plaintiffs & deprived Plaintiffs of their Civil & Constitutional Rights. Defendants deprived plaintiffs of Due Process & Property rights under color of Law.. Defendants caused Fraud, Deceit, Perjury, Misrepresentation & Misleading on the plaintiffs. Defendants Knowingly, Intentionally & Willfully breached their Moral, Ethical Professional & Fiduciary Duty & Obligations.

Parties: Plaintiffs are over the age of 18 years and can be served summons process at the

Defendants are over 18 years old and can be served summons process at the address EO AVSA, Rm 7300, 600 E Street NW, Washington DC 20530-0001

JURISDICTION: This Honorable Court has Original Jurisdiction over all Parties.

GENERAL VENUE STATUTES: Venue is proper where each claim arose in its entirety as here in the instant case.

DEMAND JURY TRIAL: Plaintiffs request Jury Trial for All issues of FACTS.

PRAYERS IN RELIEF: Plaintiffs humbly & respectfully prays that this Honorable Court Order the defendants to:

1. Answer to this complaint & Investigations.
2. Declaratory & Injunctive Relief from defendants in their Official capacity.
3. Compensatory Damages of USD \$ 250 Million from each defendant Jointly, Severally & Individually.
4. Punitive damages of USD \$ 250 Million from each defendant Jointly, Severally & Individually.
5. All reasonable Court costs, Litigation cost & Attorney fees.
6. Any other relief that the Honorable Court may grant.

VERIFICATION: Plaintiffs verify & affirm that the stated facts are TRUE & CORRECT to the best of my Knowledge & Information.

(3)

AFFIDAVIT OF INDIGENCY: I affirm under penalty of perjury that I am unable to pay the Court filing fees due to my poverty.

Financial Statement: See attached.

Motion to proceed In FORMA PAUPERIS: Plaintiffs humbly requests permission to proceed in forma pauperis due to my poverty.

Motion to PROCESS SUMMMONS: Plaintiffs requests the Honorable Court to serve ALL defendants via US Postal Certified Mail Service AND the US Marshals Service pursuant to FRCP rule 4.

SUBPOENA DUCES TECUM: Plaintiffs request 12 SDT forms to serve on nonparties.

DISCOVERY: Plaintiffs requests discovery at the earliest.

EVIDENTIARY HEARING: Plaintiffs humbly requests evidentiary hearing to stipulate undisputed facts prior to the Jury Trial.

ADMISSIONS: Plaintiffs requests admissions from defendatnts prior to Jury Trial.

INTERROGATORIES: Plaintiffs request Interrogatories prior to the Jury Trial.

Proof of Service: I certify that on this day I have served all defendants via US Postal Pre-paid first class mail.

CLAIMS / CHARGES / COMPLAINTS / COUNTS:

Defendants have combined, conspired & in tacit agreement Knowingly, Intentionally, Willfully, Maliciously & Vindictively:

1. Violated US Constitution, Federal & State Laws & Congress mandates.
2. Violated the plaintiffs Civil & Constitutional rights.
3. Harmed , Injured & Damaged the plaintiffs.
4. Deprived plaintiffs of Due Process & protected property rights.
5. Violated US Constitution amendments 1, 2, 4, 5, 6, 8 & 14.
6. Fraud.
7. Perjury.
8. Conversion.
9. Misprison of a felony.
10. Abuse of position of trust under color of law.

STATEMENT OF FACTS & REASON & BASIS OF CLAIMS:

Plaintiffs repeats , realleges & incorporates each & every plaeding, motion, complaint , count & charges as if fully copied here-in.

All instances, acts have occurred as a matter of law.

On or about 4/9/2008 defendants combined, conspired & in tacit agreement Knowingly, Intentionally & Willfully violated CLEARLY ESTABLISHED US Constitution, US federal Laws & Plaintiffes civil & Constitutional rights under color of law. Defendants Vindictively, Maliciously , Racially & Discriminatorily Harmed , Injured & Damaged the plaintiffs. Defendants Knowingly, Intentionally & Willfully breached their Moral, Ethical, Proffessional & Fiduciary Duty & Obligations. Defendants caused fraud, deceit perjurru, misrepresentation & misleading on the Plaintiffs under color of law. Defendantys abused their position of trust & caused misprison of felony.. Defendants failed to correct the violations even when repeatedly brought to their NOTICE . Defendants acts, omissions, conduct & behaviour was Unlawful, Illegal, Unauthorized by law & UnConstitutional. Defendants knew or should have reasonably known about the UnLawful violations.

Statement of FACTS and Nature & Basis of Claims

- 1 Plaintiffs repeats,realleges & incorporates each & every filed allegations, pleadings, complaints & motions as if fully copied herein.
- 2.All conditions precendent to the filing of the instant action have occured, have been fulfilled or otherwise waived as a matter of Law.
3. Plaintiffs have sent numerous Freedom of Information Act reuests which the defendants Knowingly,Intentionally & Willfully ignored since
- 4.From 4/9/2008 onwards Plaintiffs have sent numerous FOIA requests under 5 USC 552 & 5 USC 552a along with DOJ form 361 Certificate of Identity.
5. Defendants had a maximum of TEN 10 days to respond to FOIA requests.
- 6.Defendants failed to answer in 10 days ,nor sent a letter for extension of 10 days.
7. Plaintiffs have no other adequate remedy at law.
8. Absent Judicial intervention by this Honorable Court the Plaintiffs will continue to suffer & have sufferred irreparable Harm ,Injury & Damages.
9. This instant civil action is under Freedom of Information Act 5 usc 552 & Privacy Act 5 usc 552 a .
10. Plaintiifs is the requestor of the records.
- 11.Defendants have the records in their possession & control.
12. Defendants have a general pattern & routine practice of ignoring or withholding FOIA requests.
13. Congress has mandated TEN days to be in compliance of FOIA % usc 552 & 552 a.
14. Congress has given a TEN days extension for exceptional circumstances.
15. Backlog or voluminous requests are NOT considered exceptional circumstances.
- 16.Congress was unwilling to give more than 20 Twenty days to comply & release FOIA records.
17. Failure to comply with Congress mandated time limits violates US Constitution & Federal Laws.
18. Administrative remedies are considered exhausted when an officer fails to comply within the 20 days to respond & release FOIA records.
19. Failure to release FOIA records violates Due Process.
20. Plaintiffs or requestor have a statutory right to the records that Plaintiffs seeks.
21. Defendants have NO legal basis for refusal or ignoring to comply with Congress mandates, & Federal Laws.
22. Defendants have violated Congressional Intent, Statutes, US Constitution & US federal Laws.
23. Plaintiffs have made a showing that defendants action is UnLawful,Improper & UnConstitutional.